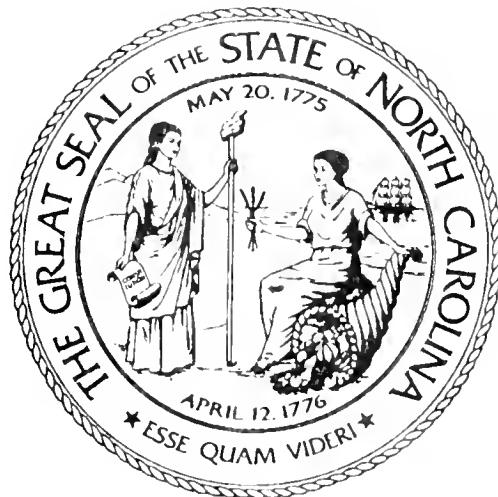


LEGISLATIVE RESEARCH COMMISSION

AQUARIUM FEES



REPORT TO THE
1989 GENERAL ASSEMBLY
OF NORTH CAROLINA
1989 SESSION

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TABLE OF CONTENTS

Letter of Transmittal.....	i
Legislative Research Commission Membership.....	ii
PREFACE.....	1
INTRODUCTION.....	3
COMMITTEE PROCEEDINGS.....	4
FINDINGS OF FACT.....	6
OPINIONS ON THE CHARGING OF ENTRANCE FEES AND THE FUTURE OF THE AQUARIUMS.....	8
RECOMMENDATIONS	11
APPENDICES	
Chapter 1093 of the 1987 Session Laws authorizing the study.....	A
Membership of the LRC Committee on Aquarium Fees	B
Agenda for the September 24, 1988 Meeting.....	C
Agenda for the October 18, 1988 Meeting	D
Legislative Proposal I - A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA AQUARIUMS	E
and a Section by Section Analysis of the Bill	

STATE OF NORTH CAROLINA
LEGISLATIVE RESEARCH COMMISSION
STATE LEGISLATIVE BUILDING
RALEIGH 27611



December 11, 1988

TO THE MEMBERS OF THE 1989 GENERAL ASSEMBLY:

The Legislative Research Commission herewith submits to you for your consideration its final report on Aquarium Fees. The report was prepared by the Legislative Research Commission's Committee on Aquarium Fees pursuant to Chapter 109.3 of the 1987 Session Laws.

Respectfully submitted,

Liston B. Ramsey
Liston B. Ramsey

J. D. Harrington
J. D. (Monk) Harrington

Cochairmen
Legislative Research Commission

1987-1988

LEGISLATIVE RESEARCH COMMISSION MEMBERSHIP

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Rep. John T. Church

Rep. Bruce Ethridge

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Senator Lura Tally

PREFACE

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is a general purpose study group. The Commission is co-chaired by the Speaker of the House and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

At the direction of the 1987 General Assembly, the Legislative Research Commission has undertaken studies of numerous subjects. These studies were grouped into broad categories and each member of the Commission was given responsibility for one category of study. The Co-chairs of the Legislative Research Commission, under the authority of G.S. 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and the public to conduct the studies. Co-chairs, one from each house of the General Assembly, were designated for each committee.

The study of aquarium fees was authorized by Chapter 1093 of the 1987 Session Laws (1988 Session). That act states that the Commission shall study and report to the 1989 General Assembly the operation of the three North Carolina Aquariums, and whether an admission fee should be charged, with the fees being used to plan, construct, operate, and support live marine mammal pavilions and rehabilitation facilities at these aquariums. House Bill 2656, ratified as Chapter 1093, is included in Appendix A. The Legislative Research Commission grouped this study in its Revenue area under the direction of Representative Josephus Mayretic. The Committee was chaired by Senator Marc Basnight and Representative Harry E. Payne, Jr. The full

membership of the Committee is listed in Appendix B of this report. A committee notebook containing the committee minutes and all information presented to the committee is filed in the Legislative Library.

INTRODUCTION

The North Carolina aquariums offer unique opportunities to the people of this State and its visitors to view and touch marine life. The State opened the three aquariums twelve years ago as marine resource centers for the State's coastal communities. Each aquarium differs in the resources and educational programs it offers depending on the needs of the coast where it is located. Each aquarium tailors its exhibits to promote an awareness, understanding, and appreciation of the diverse cultural and natural resources represented along North Carolina's coast.

The three state supported facilities are located at Fort Fisher, Pine Knoll Shores, and Roanoke Island. The Office of Marine Affairs, under the Department of Administration, directs the operations of the aquariums. The Marine Science Council has the legislated policy oversight responsibility for the aquariums. It has created local advisory committees which assist each aquarium in its efforts to establish projects and programs and assure adequate citizen consumer input into those efforts. The philosophy governing the aquariums is that they be educational institutions fully integrated in the communities where they are located.

Chapter 1093 of the 1987 Session Laws (1988 Session) charged the Aquarium Fees Study Committee to study the operation of these three aquariums. The Committee learned that the aquariums are inadequately staffed, funded, and maintained. A substantial revenue increase to the aquariums is imperative, not only to expand the programs offered by the aquariums, but also to keep the present programs sponsored by the aquariums from diminishing.

COMMITTEE PROCEEDINGS

The Aquarium Fees Study Committee met twice following the 1988 Session of the General Assembly. By meeting at the aquarium facilities, the Committee had the opportunity to tour the buildings, talk to the staff, and observe the daily activities. The Committee dedicated a large part of each program to the public. It wanted to know how the people felt about charging an admission fee to the North Carolina aquariums.

The Committee first met on September 29, 1988 at the Aquarium at Fort Fisher. Dr. Neal Conoley, Director of the Office of Marine Affairs, spoke in great detail on the recent trends in regard to visitation, programs, and needs of the three aquariums.

Ms. Jane Patterson, Chairperson of the North Carolina Aquarium Society, explained the relationship between the private non-profit organization and the state supported aquariums. Interested citizens organized the Aquarium Society in 1986 to support the exhibits and educational programs of the aquariums. Although the Aquarium Society does not advocate an admission fee, it would support a fee to see the aquariums expand and grow.

Dr. Michael Orbach, Chairperson of the North Carolina Marine Science Council, told the Committee the Council believes the state supported facilities should not charge a general admission fee. The Council would like to see the aquariums grow so long as the expansion does not forfeit the educational purpose of the aquariums.

In addition to the people listed on the agenda for this meeting, Ms. Jane Peterson with the Cape Fear Coast Convention and Visitors Bureau addressed the Committee. The agenda for this meeting may be found in Appendix C of this report.

The Committee held its second meeting on October 18, 1988 at the Aquarium at Roanoke Island. Secretary James S. Lofton of the Department of Administration addressed the critical funding needs of the aquariums. In addition to the townspeople

named on the agenda, the following people gave their opinion on the issue of entrance fees:

1. Ms. Molly Fearing, Mayor of Manteo, North Carolina;
2. Mr. Jule Burrus, member of the Manteo Town Commission; and,
3. Mr. Don Bryan, Mayor of Nags Head, North Carolina and President of the North Carolina League of Municipalities.

The agenda for this meeting may be found in Appendix D of this report.

Detailed minutes of both meetings are available in the Legislative Library of the Legislative Building.

FINDINGS OF FACT

The three North Carolina aquariums attract over one million visitors a year. They have experienced an average sixteen percent increase in visitation over the past six years. Over 1,200 school groups and more than 50,000 school students visited the aquariums during the 1987-88 fiscal year. These figures represent a thirty-five percent increase in school group participation in aquarium sponsored programs.

The aquariums offer a variety of programs and activities for the public. The nature of the programs encourage family participation and develop environmental awareness. The activities sponsored by the aquariums include wild food weekends, nature hikes through salt marshes, programs on beach erosion and ocean pollution, and crabbing, sea turtles, and trolling programs. The public programs featured by the aquariums have increased an average of forty percent a year. This past fiscal year, the aquariums offered over 1,600 programs.

The average aquarium facility size is 32,000 square feet located on approximately fifteen acres of land. The aquariums operate 362 days a year and each facility has ten staff members. With the increased visitation, there is a current ratio of one staff member to 50,000 visitors.

To meet the demands of the growing number of visitors and programs, the aquariums must be adequately staffed. Each aquarium needs an additional full-time secretary, maintenance assistant, housekeeper/groundskeeper, and exhibit designer. Each aquarium also needs a part time secretary, housekeeper, and educator.

The aquarium facilities and equipment are in need of some necessary maintenance and repairs. The aquariums suffer from faulty heating and cooling systems that need repairing or replacing. Many of the pipes, light fixtures, and ventilation systems within

the facilities have rusted from the salt air. The aquariums also are in need of a life support system for the animals and some replacement vehicles.

The aquarium at Roanoke Island is threatened by shoreline erosion caused by the failure to repair the bulkheads constructed in the 1940's. The siding at all three aquariums is falling away from the buildings and rotting around the window sills. The main entrance deck at the aquarium at Pine Knoll Shores has been closed because deterioration has made it a safety hazard.

The operating budget for all three aquariums in the 1988-89 fiscal year is \$1,509,351. In 1987, the aquarium's budget was expanded \$250,000 for improved staffing and maintenance. This amount equals one-third of the amount requested. Prior to 1987, the aquariums had not been granted an expansion request in its operating budget in six years. It has been six years since any of the aquariums have received an appropriation for a capital project.

The requested continuation budgets for the aquariums need to be expanded \$746,434 for the 1989-90 fiscal year and \$665,301 for the 1990-91 fiscal year for the aquariums to increase their staff sufficiently, purchase needed supplies and equipment, and finance necessary repairs and maintenance. The aquariums also need a one time appropriation of \$663,800 to complete some necessary capital projects. If the aquariums are to grow and expand, \$250,000 for the 1989-90 and the 1990-91 fiscal years must be appropriated to them to begin architectural site designs and exhibit plans.

As the aquariums attract more visitors, the demand for new and innovative displays and programs grows. Currently, this need is being met by the North Carolina Aquarium Society which has raised much money and obtained several corporate sponsorships for aquarium displays and activities. This necessary support cannot be maintained without State recognition of the importance of the North Carolina aquariums and a firm commitment to their future growth and expansion.

OPINIONS ON THE CHARGING OF ENTRANCE FEES AND THE FUTURE OF THE AQUARIUMS

The Committee devoted a large amount of time at each meeting to the opinions of the public. The Committee wanted to know how the local citizens felt about charging an admission fee to the aquariums and what effect they thought an admission fee would have on the aquariums and the surrounding areas. The Committee heard from mayors, county commissioners, town council members, business associations, local Chambers of Commerce, educators, and other interested persons.

Every speaker opposed the concept of admission fees as the first alternative to the funding problems suffered by the aquariums. The speakers expressed many reasons for this opposition.

First, the aquariums exist as a State educational resource and provide an important service to the State. Also, the areas where the aquariums are located contribute many tax dollars to the State's coffers through their tourist industry. The aquariums are a State responsibility and deserve the financial support of the State in adequately funding their operations, maintenance, and expansion.

Second, an admission fee would unfairly discriminate against state citizens who would not be able to take full advantage of the services and programs offered by the aquariums should such a fee be imposed. Admission fees may prevent school students and extracurricular educational groups, such as the Scouts and the 4-H Clubs, from visiting the facilities. Also, many local groups use the buildings for meeting purposes. The imposition of a fee may restrict this invaluable local resource.

Third, many feared a fee would price the aquariums out of the market and consequently reduce visitation. To implement a fee without improving the existing aquariums would be a fruitless venture. To compete successfully in the entertainment

arena, substantial improvements in the number and quality of exhibits would need to be realized.

Fourth, some speakers emphasized that caution should be exercised when studying the fee since charging a fee would create additional expenses, such as for collecting and administering it.

The speakers also voiced the overwhelming sentiment that the aquariums should be expanded and improved. As the states of Virginia and South Carolina begin to build and develop state aquariums, the competition among the states for tourist dollars becomes stronger. To compete, the North Carolina aquariums need to have optimal facilities, expanded programs, and larger exhibits. The Marine Science Council and the Roanoke Island Citizens Advisory Committee cautioned that such expansion must not lose sight of the educational mission and philosophy governing the aquariums.

All of the speakers acknowledged that for the aquariums to meet their full potential and to provide a top quality educational experience for its visitors, additional funding is necessary. Only if the state is not willing to appropriate the necessary funds for improvements, maintenance, and expansion, would the public entertain a nominal entrance fee.

Various guidelines were suggested in establishing a fee. The most common guideline was that the fee be nominal with special consideration given to children and senior citizens. Many groups advocated that school groups be admitted free. Some groups also felt that groups whose primary purpose is educational, such as Scouts and 4 H Clubs, should be admitted free.

The local communities believe strongly that any fees collected be in addition to the general fund appropriation. They do not want to see the revenues earned by the aquariums placed in the general fund and never used to benefit the aquariums. Some

groups wanted to see any fees collected allocated to the individual aquariums in direct proportion to the amount of fees generated by each aquarium.

The groups represented at the meetings differed in how they thought the fees should be used. Some groups would like to see larger and more spectacular exhibits. Others feared this rationale would sacrifice the educational mission of the aquariums. Some wished to see the revenues used to fund critical aquarium needs such as operational expenses and badly needed capital improvements.

RECOMMENDATIONS

The Aquarium Fees Study Committee recommends to the Legislative Research Commission and the 1989 Session of the General Assembly that additional funds be appropriated to the North Carolina aquariums. (See Appendix E) The Committee finds the amounts requested by the Department of Administration for the aquariums are reasonable and that the improved facilities these funds will produce will allow the aquariums to better serve the educational needs of the people of this State.

It is recommended that the total appropriation to the North Carolina aquariums be increased to \$3,227,307 for the fiscal year 1989-90 and \$2,505,878 for the fiscal year 1990-91. These amounts will be allocated between expanding the aquariums' operating budget, funding some necessary capital improvements, and planning for the future of the North Carolina aquariums.

It is recommended that the aquariums' requested continuation budget for the 1989-90 fiscal year of \$1,567,073 be expanded \$746,434 and that the requested continuation budget for the 1990-91 fiscal year of \$1,590,577 be expanded \$665,301. This money is needed to hire four additional full time staff positions for each aquarium--a secretary, maintenance assistant, housekeeper/groundskeeper, and an exhibit designer--and three additional part time staff positions for each aquarium--secretarial and housekeeping support and an educator. This money would also be used to cover badly needed maintenance and repairs and supplies and equipment.

It is recommended that \$663,800 be appropriated from the General Fund to the Department of Administration, the Marine Affairs Division, for necessary capital projects at the three aquariums. The money would be used for constructing and paving parking lots, replacing the old siding on the buildings, repairing the bulkheads at the Roanoke Island, and building energy enclosures at the aquariums.

It is recommended that \$250,000 be appropriated from the General Fund to the Department of Administration, the Marine Affairs Division, for the 1989-90 and the 1990-91 fiscal years. This money is needed to begin architectural site designs and exhibit plans for the expansion of the three aquariums.

APPENDIX A

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION
RATIFIED BILL

CHAPTER 1093
HOUSE BILL 2656

AN ACT PROVIDING FOR THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE THREE NORTH CAROLINA AQUARIUMS AND THE ISSUE OF CHARGING A FEE FOR ADMISSION TO THOSE MUSEUMS, WITH THOSE FEES BEING USED TO PLAN, CONSTRUCT, OPERATE, AND SUPPORT LIVE MARINE MAMMAL PAVILIONS AND REHABILITATION FACILITIES AT THOSE AQUARIUMS.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission shall study and report to the 1989 General Assembly the operation of the three North Carolina Aquariums, and whether an admission fee should be charged, with the fees being used to plan, construct, operate, and support live marine mammal pavilions and rehabilitation facilities at these aquariums.

Sec. 2. This act is effective upon ratification.

APPENDIX B

MEMBERSHIP OF LRC COMMITTEE ON AQUARIUM FEES

SUBJECT: **AQUARIUM FEES**

Authority: 1988 Session Laws, Chapter 1093 (HB 2656 Payne)
Report by: Legislative Research Commission (Aquarium Fees Study Committee)
Report to: General Assembly
Date: 1989 Session

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LRC Member: Rep. Joe Mayretic

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APPENDIX C
AQUARIUM FEES STUDY COMMISSION AGENDA

September 23, 1988
North Carolina Aquarium at Fort Fisher
9:00 a.m.

- I. Committee Business
 - A. Convening of Committee Meeting
 - B. Adoption of Budget
- II. Cochairman, Representative Harry Payne
To explain the history behind the original bill, HB 2656, and to explain the Committee's charge.
- III. Dr. Neal Conoley, Office of Marine Affairs, Department of Administration
To give an overview of the operations of the NC Aquariums, of the budget history, and of the visitor and demographic trends.
- IV. BREAK AND TOUR OF AQUARIUM FACILITIES
- V. Ms. Jane Patterson, Chairperson of the North Carolina Aquarium Society
To explain the position of the North Carolina Aquarium Society on the charging of entrance fees.
- VI. Dr. Michael Orbach, Chairperson of the Marine Science Council
To explain the position of the Marine Science Council on the charging of entrance fees.
- VII. LUNCH
- VIII. Comments from the Public
 - A. Frank Link, Mayor of Kure Beach
 - B. Pat Elrid, Mayor Pro Tem of Carolina Beach
 - C. Fran Young, Chairperson of the Greater Wilmington Chamber of Commerce
 - D. Larry Willoughby, Chairperson of the Pleasure Island Chamber of Commerce
 - E. Rick Willetts, member of the North Carolina Aquarium Society
 - F. Others
- IX. Conclusion
 - A. Instructions to Staff
 - B. October Meeting Date: October 18, 1988
 - C. Adjournment

APPENDIX D
AQUARIUM FEES STUDY COMMISSION AGENDA

October 18, 1988
North Carolina Aquarium at Roanoke Island
8:30 a.m.

- I. Committee Business**
 - A. C convening of Committee
 - B. Approval of Minutes
- II. Secretary James S. Lofton, Department of Administration**
Discuss the needs of the aquariums
- III. Comments from the Public**
 - A. Bobby Owens, Chairman of the Dare County Commissioners
 - B. Charles Evans, former legislator and member of the Board of Directors of the NC Aquarium Society
 - C. Dr. Parker Chesson, Chairman of the Citizens Advisory Committee for the Roanoke Island Aquarium
 - D. Patricia Fearing, on behalf of the Roanoke Island Business Association
 - E. Gene O'Blennes, Manager of the Dare County Tourist Bureau
 - F. John Bone, Executive Director of the Outer Banks Chamber of Commerce
 - G. Ms. Wende Allen, Science Education Coordinator for the Northeast Regional Education Center
Prepared a written statement to be reviewed in her absence
- IV. BREAK AND TOUR OF THE AQUARIUM**
- V. Committee Discussion and Recommendations for Legislation**
 - A. Present chart of various state attractions, Cindy Ayrette, Committee Staff
- VI. Conclusion**
 - A. Instructions to Staff for FINAL REPORT
 - B. Adjournment

APPENDIX E
GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1989

D

89-1b-101
THIS IS A DRAFT October 6, 1988

Short Title: N.C. Aquarium Funds. (Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA AQUARIUMS.

3 Whereas, the three North Carolina aquariums have experienced a sixteen
4 percent (16%) increase in visitation per year; and

5 Whereas, the aquariums contribute much to the State's educational
6 curriculum by providing over 1,600 public programs in which over 50,000 school
7 students have participated; and

8 Whereas, the aquariums have experienced a thirty-five percent (35%)
9 increase in school group attendance per year; and

10 Whereas, the aquariums offer much to the public by providing many
11 programs geared toward family participation, such as wild food weekends, nature hikes
12 through salt marshes, and crabbing, sea turtles, and trolling programs; and

13 Whereas, the aquariums have experienced a thirty-eight percent (38%)
14 increase in public program participation; and

15 Whereas, the aquariums strive to increase environmental awareness by
16 offering programs to the public on topics such as beach erosion and ocean pollution;
17 and

18 Whereas, the aquariums are understaffed to handle the increase in
19 community and educational participation with the current ratio of one staff member to
20 50,000 visitors; and

Whereas, the aquariums have faulty heating and cooling systems that need repairing or replacing; and

Whereas, pipes, light fixtures, and ventilation systems in the aquariums are rusted from the salt air and need repairing; and

Whereas, the aquarium at Roanoke Island is threatened by shoreline erosion caused by the failure to repair the old bulkheads constructed at the aquarium in the 1940's; and

Whereas, the old siding at all three aquariums is falling away from the buildings and rotting around the window sills; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Administration, the Marine Affairs Division, the sum of two million three hundred thirteen thousand five hundred seven dollars (\$2,313,507) for the 1989-90 fiscal year and the sum of two million two hundred fifty-five thousand eight hundred seventy-eight dollars (\$2,255,878) for the 1990-91 fiscal year for the operating expenses of the three North Carolina aquariums. These amounts shall become part of the continuation budget of the Department of Administration.

Sec. 2. There is appropriated from the General Fund to the Department of Administration, the Marine Affairs Division, the sum of six hundred sixty-three thousand eight hundred dollars (\$663,800) for the 1989-90 fiscal year to be used for capital projects at the three North Carolina aquariums such as constructing and paving the parking lots, replacing the old siding on the buildings, repairing the bulkheads at the Roanoke Island Aquarium, and building energy enclosures at the aquariums.

Sec. 3. There is appropriated from the General Fund to the Department of Administration, the Marine Affairs Division, the sum of two hundred fifty thousand dollars (\$250,000) for the 1989-90 fiscal year and the sum of two hundred fifty thousand dollars (\$250,000) for the 1990-91 fiscal year to be used for architectural site designs and exhibit plans for the three North Carolina aquariums.

Sec. 4. This act shall become effective July 1, 1989.

SECTION BY SECTION ANALYSIS OF RECOMMENDED LEGISLATION

This bill appropriates \$3,227,307 for the fiscal year 1989-90 and \$2,505,878 for the fiscal year 1990-91 from the General Fund to the Department of Administration, Marine Affairs Division.

Section 1 appropriates \$2,313,507 for the fiscal year 1989-90 and \$2,255,878 for the fiscal year 1990-91 from the General Fund to the Department of Administration, Marine Affairs Division, for the operating expenses of the three North Carolina aquariums.

Section 2 appropriates \$663,800 for the 1989-90 fiscal year from the General Fund to the Department of Administration, Marine Affairs Division, for capital projects at the three North Carolina aquariums.

Section 3 appropriates \$250,000 for the 1989-90 fiscal year and \$250,000 for the 1990-91 fiscal year from the General Fund to the Department of Administration, Marine Affairs Division, for architectural site designs and exhibit plans for the three North Carolina aquariums.

Section 4 makes the act effective on July 1, 1989.

